

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Original): A crystalline polyester prepared by polycondensing an alcohol component comprising 1,6-hexanediol in an amount of 60% by mol or more, with a carboxylic acid component comprising fumaric acid in an amount of 60% by mol or more, wherein the crystalline polyester has a ratio of a softening point to the maximum peak temperature of heat of fusion is from 0.6 to 1.3, and wherein a tetrahydrofuran-soluble component of the crystalline polyester has a number-average molecular weight of from 1500 to 10000, and the crystalline polyester has a softening point of from 50° to 120°C.

Claim 2 (Original): The crystalline polyester according to claim 1, wherein adipic acid is contained in the carboxylic acid component in an amount of 5 to 40% by mol.

Claim 3 (Original): The crystalline polyester according to claim 1, wherein one or two kinds of monomers are used as raw material monomers constituting the carboxylic acid component or the alcohol component, respectively.

Claim 4 (Original): The crystalline polyester according to claim 1, wherein a molar ratio of the carboxylic acid component to the alcohol component is from 0.9 to 1.1.

Claim 5 (Original): A resin binder for a toner comprising the crystalline polyester of claim 1.

Claim 6 (Original): The resin binder according to claim 5, wherein the crystalline polyester is contained in an amount of from 1 to 50% by weight.

Claim 7 (Original): The resin binder according to claim 5, further comprising at least one amorphous resin selected from the group consisting of amorphous polyesters, amorphous polyester-polyamides, vinyl resins and hybrid resins comprising two or more resin components partially being chemically bonded to each other.

Claim 8 (Original): The resin binder according to claim 7, wherein a weight ratio of the crystalline polyester to the amorphous resin is from 1/99 to 50/50.

Claim 9 (Original): A toner comprising the resin binder of claim 5.

Claim 10 (Original): The toner according to claim 9, further comprising a wax having a melting point of from 30°C below a softening point ( $T_m$ ) of the crystalline polyester to 20°C above the softening point [ $(T_m-30^\circ\text{C})$  to  $(T_m+20^\circ\text{C})$ ].

Claim 11 (Original): The toner according to claim 10, wherein the wax comprises a natural ester wax.

Claim 12 (Original): The toner according to claim 9, wherein the toner is a pulverized toner obtained by a kneading and pulverization method.

Claim 13 (Original): A method of developing an electrostatic latent image formed in electrophotography, electrostatic recording method or electrostatic printing method using the toner of claim 9.

Claim 14 (New): The crystalline polyester according to claim 1, wherein the tetrahydrofuran-soluble component of the crystalline polyester has a number-average molecular weight of from 1500 to 4011.

Claim 15 (New): The crystalline polyester according to claim 1, wherein the tetrahydrofuran-soluble component of the crystalline polyester has a number-average molecular weight of from 1719 to 4011.

Claim 16 (New): The crystalline polyester according to claim 1, wherein the tetrahydrofuran-soluble component of the crystalline polyester has a number-average molecular weight of from 1719 to 10,000.

DISCUSSION OF THE AMENDMENT

Claims 1-16 are active in the present application. The claims have been amended for matters of form not affecting claim scope. Claims 14-16 are new claims. Support for new Claims 14-16 is found in Resin c in Table 1 and Resin h in Table 2 on pages 15-16 of the specification.

No new matter is added.